STATUTORY INSTRUMENTS

1999 No. 2387

EDUCATION, ENGLAND

The Education (School Performance Information) (England) (Amendment) (No. 2) Regulations 1999

Made - - -	*25th August 1999*
Laid before Parliament	*25th August 1999*
Coming into force	*15th September 1999*

In exercise of the powers conferred on the Secretary of State by sections 408, 537, 537A(1) and 569(4) and (5) of the Education Act 1996**(a)**, and after consulting with those persons with whom consultation appeared to him to be desirable, the Secretary of State for Education and Employment hereby makes the following Regulations:

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Education (School Performance Information) (England) (Amendment) (No. 2) Regulations 1999 and shall come into force on 15th September 1999.

(2) Any reference in these Regulations to the principal Regulations is a reference to The Education (School Performance Information) (England) Regulations 1999**(b)**.

Amendment

2. Regulation 14 of the principal Regulations (publication of performance information about primary schools by local education authorities) shall be amended as follows–

(a) in paragraph (1), there shall be substituted for "in its area" the words "it maintains";

(b) in paragraph (2), there shall be omitted the words "in the area of the authority";

(c) in paragraph (2)(b)(i), there shall be omitted the words "and by teacher assessment" and there shall be added at the end the word "and";

(d) at the end of paragraph (2)(b)(ii), there shall be omitted the word "and";

(e) paragraph (2)(b)(iii) shall be omitted;

(f) in paragraph (4)(a), there shall be substituted for "in the area of" the words "which are maintained by" and there shall be omitted the words "and by teacher assessment";

(g) in paragraph (4)(b), there shall be substituted for "in the area of" the words "which is maintained by" and at the end there shall be added the word "and"; and

(h) after paragraph (4)(b), there shall be inserted the following sub-paragraph–

"(c) information calculated by the Secretary of State giving–

(i) the sum of the percentage figures referred to under paragraph (2)(b)(i) in respect of each such school to which the information under that paragraph relates;

(ii) the sum of the percentage figures referred to under paragraph (4)(a)(i); and

(iii) the sum of the percentage figures referred to under paragraph (4)(a)(ii)

for the reporting school year and each of the three reporting school years immediately preceding it.".

(a) 1996 c. 56; by virtue of S.I. 1999/672, the powers conferred by these sections are exercisable by the Secretary of State only in relation to England; for the meaning of "prescribed" and "regulations" *see* section 579(1).

(b) S.I. 1999/1178, amended by S.I. 1999/2158.

3. Schedule 2 to the principal Regulations (provision of information to the Secretary of State: second key stage results) shall be amended as follows–

(a) in paragraph 2, there shall be omitted the words "both" and "and by teacher assessment";

(b) paragraph 4 shall be omitted;

(c) in paragraph 5(2)(i), there shall be omitted the words "both" and "and by teacher assessment";

(d) paragraph 5(2)(ii) shall be omitted;

(e) in paragraph 5(2)(v), there shall be omitted the words "or teacher assessment"; and

(f) paragraph 5(2)(vii) shall be omitted.

4. Schedule 6 to the principal Regulations (provision of general information to the Secretary of State: primary schools and middle deemed secondary schools) shall be amended by the insertion at the end of the following paragraph–

"**8.** The number of registered pupils at or near the end of the final year of the second key stage for whom a statement of special educational needs is maintained under section 324 of the 1996 Act.".

5. There shall be substituted for Schedule 8 to the principal Regulations, the Schedule set out in the Schedule to these Regulations.

Jacqui Smith
Parliamentary Under Secretary of State,
Department for Education and Employment

25th August 1999

SCHEDULE Regulation 5

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SCHEDULE 8

Regulation 14(5)

FORM IN WHICH INFORMATION IS TO BE PUBLISHED BY LOCAL EDUCATION AUTHORITIES

School	Charter Mark Holder	Classification of school as community, foundation, voluntary controlled or voluntary aided	Age Range	Failed to confirm performance information	Failed to confirm general information	Number of pupils at or near the end of the final year of the second key stage	Number of pupils at or near the end of the final year of the second key stage with statements of special educational needs	English	Mathematics	Science	Total number of pupils on roll	Number of registered pupils aged 10	Total number of pupils with special educational needs		Sums of percentages showing measure of improvement			
													with state-ments	with out state-ments	1996	1997	1998	1999
Name, address and telephone number of school								% (achieving level 4 or above) % (Absent or exempted)	% (achieving level 4 or above) % (Absent or exempted)	% (achieving level 4 or above) % (Absent or exempted)								
Average for schools in area of local education authority								%	%	%								
Average for schools in England								%	%	%								

”

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Education (School Performance Information) (England) Regulations 1999 ("the principal Regulations"), which relate to the collection and publication of information about the performance of schools.

By these amendments, information about teacher assessment of pupils at or near the end of the final year of the second key stage need no longer be provided by schools to the Secretary of State or published by local education authorities; the information about local primary schools to be published by local education authorities under regulation 14 of the principal regulations, relates to schools they maintain (*regulation 2*).

The information in Schedule 6 to the principal Regulations, which schools are to provide to the Secretary of State and local education authorities are to publish, in now to include information as to the number of registered pupils at the school at or near the end of the final year of the second key stage for whom a statement of special educational needs is maintained under section 324 of the Education Act 1996 (*regulation 4*). Local education authorities are now required to publish information, calculated by the Secretary of State, showing, in relation to certain schools, sums of percentage figures in respect of pupils at key stage 2 achieving level 4 or above of the National Curriculum level scale in each of the core subjects for the reporting school year and for each of the three such years preceding it (*regulation 2(h)*).

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